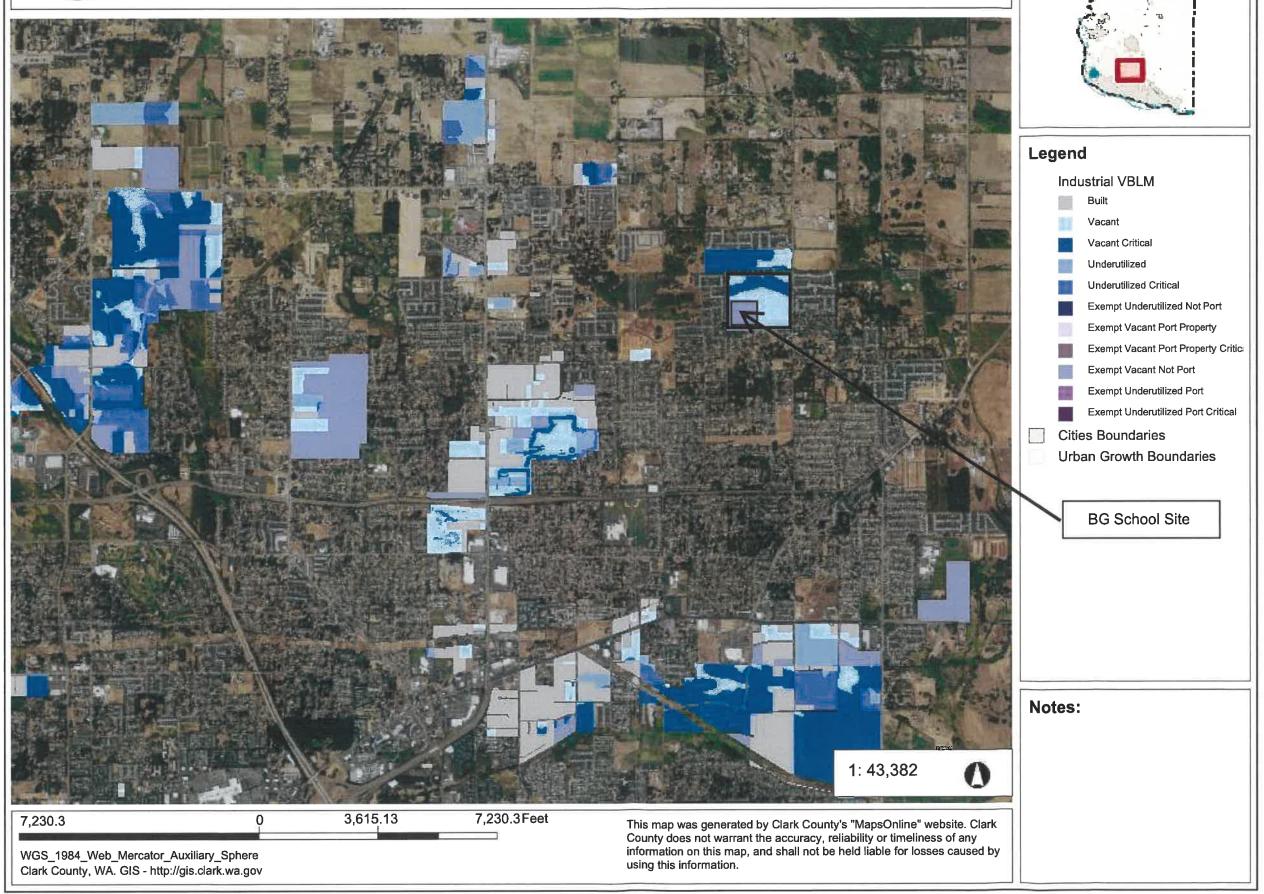




Riverview - VBLM Industrial





1499 SE Tech Center Place, Ste. 380 Vancouver, WA 98683

Tel. (360) 567-3900 Fax (360) 567-3901

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Armand Resto-Spotts <u>armand.resto-spotts@jordanramis.com</u> Direct Dial: (360) 567-3917

September 16, 2019

Clark County Council

ATTN: Rebecca Messinger, Clerk to the Council

PO Box 5000

Vancouver, WA 98666-5000

Email: Rebecca.messinger@clark.wa.gov

Re: Riverview Asset Annual Review CPZ2019-0003

September 17, 2019 Our File No. 52622-73504

Dear County Council:

We represent Riverview Asset, applicant under the above-referenced annual review proposal. This letter responds to the public comment(s) submitted on this proposal, as well as emphasizing some of our concerns as to why this particular site is highly unsuitable for a business park use.

Mr. McDonald's comments are focused on the fact that approval of this proposed comprehensive plan designation and rezone would not be consistent with the County's actions on NE 179th St. area. Mr. McDonald asserts that this land is ready for business park use today and that converting this site to residential and community commercial would run contrary to the County's goals for economic growth.

For the myriad reasons presented in our application narrative, responsive letters, and presentation to Planning Commission, this property is not at all suited for industrial type of uses. We defer to those documents in the record for a rebuttal of any assertion that this property is ready to be developed as a business park.

With respect to alleged inconsistency, the Council's decisions on NE 179th St. corridor are not only irrelevant to this present proposal, but they would in fact support a change from this industrial designation to a residential and commercial use. The NE 179th St. area represents an ideal location for future development—commercial, industrial, and residential possibly. Other nearby business parks to our client's property have vacancy, and have far easier access to major transportation routes. Our client's property lacks necessary transportation infrastructure—much like NE 179th St. area—to develop as a successful industrial, business park use. These are just some of the reasons why this site is so unsuited for a business park use.

Clark County Council September 16, 2019 Page 2

Attached to this letter is a summary of the six-year transportation improvement projects for the County, including the NE 152nd Avenue improvement, which is not continuing up toward our client's property. This further supports our argument that this site is not developing as a business park use in any point in the future.

Very truly yours,

JORDAN RAMIS PC

Armand Resto-Spotts

Enclosures

TRANSPORTATION IMPROVEMENT PLAN PROJECTS

2019-2024 projects (funding within six years)

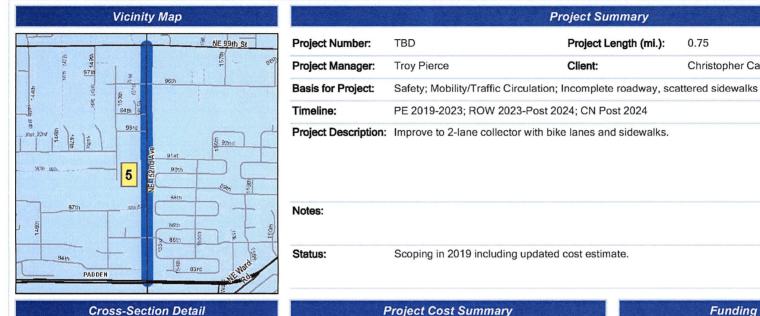
All documents are in PDF format unless noted otherwise.

Obligated	Projects (not ranked)	
Project A	NE 10th Avenue (NE 149th Street - NE 154th Street)	
Project B	NE 10th Avenue (NE 154th Street – NE 164th Street)	
Project C	NE 119th Street (NE 50th Avenue - NE 72nd Avenue)	
Project D	NE 119th Street East (NE 87th Avenue – NE 112th Avenue)	
Programn	ned Projects (ranked)	
Project 1	NE 99th Street (NE 94th Avenue - Vicinity of NE 117th Avenue - SR-503)	
Project 2	Highway 99 Corridor Improvements (Highway 99 - NE 99th Street)	
Project 3	I-5/NE 179th Street (NE Delfel Road – NE 15th Avenue)	
Project 4	NE Ward Road (NE 162nd Avenue – NE 172nd Avenue)	
Project 5	NE 152nd Avenue (Padden Parkway – NE 99th Street)	
Project 6	NE 15th Avenue (NE 179th Street - NE 10th Avenue)	
Project 7	NE 72nd Avenue (NE 133rd Street - NE 179th Street)	
Project 8	NE 72nd Avenue (NE 122nd Street - NE 133rd Street)	
Project 9	NE 119th Street at NE 132nd Avenue (Intersection Improvement)	



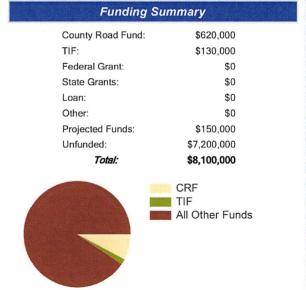
2019 - 2024 Transportation Improvement Program

Project: 5. NE 152nd Avenue - Padden Parkway to NE 99th Street



NOT TO SCALE side bke travel left turn lane travel lane or median lane lane clear walk configuration) flex zone 34' core road flex zone 46' pavement 12' 70' right of-way

Engineering:	\$300,000
Real Property:	\$800,000
Construction:	\$7,000,000
Total:	\$8,100,000
	Engineering Real Property Construction



Christopher Carle/Susan Wilson

Project: 5. NE 152nd Avenue - Padden Parkway to NE 99th Street

From: <u>Orjiako, Oliver</u>

To: Albrecht, Gary; Alvarez, Jose; Anderson, Colete; Hermen, Matt; Kamp, Jacqueline; Kay, Jenna; Lebowsky, Laurie;

Lumbantobing, Sharon; Orjiako, Oliver; Sidorov, Larisa; Wiser, Sonja

Cc: <u>Cook, Christine</u>

Subject: FW: commercial to residential

Date: Tuesday, September 10, 2019 4:46:32 PM

Just as FYI. Thanks.

Oliver

Oliver Orjiako
Director
COMMUNITY PLANNING

564.397.2280 ext 4112

----Original Message-----

From: David McDonald [mailto:david@mcdonaldpc.com]

Sent: Tuesday, September 10, 2019 4:20 PM To: Orjiako, Oliver; Messinger, Rebecca

Cc: Blom, John; Lentz, Temple; Medvigy, Gary; Julie2.Olson@clark.wa.gov; Quiring, Eileen

Subject: commercial to residential

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Councilors:

Please accept my apologies for the fact that this e-mail is coming shortly before your meeting tonight. I am still recovering from surgery and will not be able to attend this evening's hearings but had a chance to review these zone change requests today.

There are 4 CPZ zone changes on the agenda tonight.

This is to request that the following:

- 1. CPZ 2019-00003. The Council should reject this application. To approve such a rezone would be not only inconsistent with, but antithetical with the actions by the County during the last round of hearings on 179th Corridor. In fact, this land is open and much more ready for BP status than the currently zoned BP areas along the west side of NE Delfel. To allow this to go to ULD with CC would fly in the face of the County's stated goals of economic growth. Therefore this request should be denied.
- 2. CPZ 2019-0002. The Council should similarly reject this application. This is a scenario that has happened with much frequency over the years (and which I believe will eventually happen in the 179th corridor area and allowing this application would set a bad precedent. Basically this scenario has been frequently repeated over the years—but an area for community commercial in an area of residential area and then, once the residential comes into effect, there is a hue and cry from the owner of the commercial property that there is so much residential that commercial is either a) inconsistent with the residential development or that b) the residential development precludes the owner from finding a buyer who wants to develop as commercial. The County should reject this application.

3. CPZ 2019-0004. The Council should reject this application. Again, this is a time honored practice in Clark County where parcels around a particular area, for a myriad of reasons, are allowed to develop at densities less than the zoning for a nearby and/or a adjacent parcel and then the owner of that parcel wants to rezone their property to have the higher density for their property. I recognize that property rights are important but, again, this is how this County has allowed for a number of areas around the County to slowly be up zoned from original zoning to a higher density zoning in the rural areas. This is simply bad policy as it just promotes the slow up zoning of areas previously zoned to the point where these "exceptions" eventually swallow the "rules" of the original zoning designation. There is a R20 parcel attached to the NE and an R-20 to the SE corner that abut this property and, it appears another R20 that abuts immediately to the East. Plus, according to the aerials, the R-20s are forested and (although it is unknown, it would helpful to know what is east of the 20s. In addition, there is a R10 to the SW of the property. If this zoning is allowed, and history is any indication, these R10s and R20s will soon be coming in for rezoning because this R10 parcel will now have 5 new homes under the cluster ordinance. This is not an appropriate rezone. This application should be denied.

Thank you for your consideration of these matters and, again, my apologies for submitting these comments at the 11th hour.

Best Regards,

David T. McDonald Ridgefield, Wa From: Sigler

To: <u>Alvarez, Jose; Messinger, Rebecca</u>

Subject: [Contains External Hyperlinks] Re: [Contains External Hyperlinks] Comp plan zoning amendment request

CPZ2019-00003

Date: Monday, September 9, 2019 3:21:29 PM

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, kindly.

Barb

From: Alvarez, Jose

Sent: Monday, September 9, 2019 2:20 PM

To: 'Sigler'; Messinger, Rebecca

Subject: RE: [Contains External Hyperlinks] Comp plan zoning amendment request CPZ2019-00003

Ms. Sigler,

Yes there was a request in 2017 and the current 2019 request. The only limitation I'm aware of is under 40.500.010(C) Reapplication. Development proposals that are denied have to wait a year before re-applying unless decision is made to deny without prejudice, and then the one year wait does not apply or if there has been a substantial change in conditions.

https://www.codepublishing.com/WA/ClarkCounty/? ClarkCounty40/ClarkCounty40500/ClarkCounty40500010.html



Jose Alvarez
Planner III
COMMUNITY PLANNING

564.397.2280







From: Sigler [mailto:gandbsigler@comcast.net]
Sent: Sunday, September 8, 2019 10:05 AM
To: Alvarez, Jose; Messinger, Rebecca

Subject: [Contains External Hyperlinks] Comp plan zoning amendment request CPZ2019-00003

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

Wasn't sure who could answer my question, so I'm emailing both of you.

How many times/ways can these people make this request?

They have made it over and over and over in the last 2 years. Seems that they are going to keep asking, and asking until they get the answer they want.

Is there some kind of time restriction on this type of request?
It seems not, since they keep asking, but I thought I would ask anyways, prior to making testimony about their request.

thx Barb Sigler gandbsigler@comcast.net 360-883-1159

Virus-free. www.avg.com

This e-mail and related attachments and any response may be subject to public disclosure under state law.